

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

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|--|-----------------------|-------------------|--------------------|
| Date: | 5/25/2023 | Case Number: | 2:22-cr-00167 |
| Case Style: | USA vs. Brian Gullett | | |
| Type of hearing: | Sentencing | | |
| Before the Honorable: | 2517-Volk | | |
| Court Reporter: | Amanda Pickens | Courtroom Deputy: | Sydney Whittington |
| Attorney(s) for the Plaintiff or Government: | | | |
| Monica Coleman | | | |
| Attorney(s) for the Defendant(s): | | | |
| Harry Smith | | | |
| Law Clerk: | Nick Gutmann | | |
| Probation Officer: | Russell Scott | | |

Court Times

| Start Time | End Time | Court Time Description |
|------------|----------|---------------------------------|
| 10:33 AM | 11:11 AM | Non-Trial Time/Uncontested Time |

Time in court: 0 hours and 38 minutes. Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled Start 10:30 a.m.

Actual Start 10:33 a.m.

Defendant present in person and by counsel for sentencing as to Count One.
 Counsel note appearances on the record.
 Defendant placed under oath.
 Court addresses PSR and remaining objections; def obj 1 - inclusion of para. 17-21 - overruled.
 Court ADOPTS findings in PSR.
 Probation to file PSR in court file under seal.
 Court ACCEPTS plea agreement.
 Court ADJUDGES Defendant guilty pursuant to prior plea.
 Court makes findings re: applicable U.S.S.G. ranges.
 Court addresses 3553(a) factors and hears from parties re: relevant sentencing issues.
 Counsel speak before sentence is imposed.
 Defendant speaks on own behalf.
 After considering advisory U.S.S.G. ranges and 3553(a) factors,
 Court IMPOSES sentence as follows:
 Custody: 6 months
 Supervised Release: 1 years
 Fine: \$5,000
 Assessment: \$100
 Court states reasons for sentence imposed.
 Defendant advised of right to appeal.
 Counts 1, 13, 16, 20, 24, 25 and 33 are DISMISSED upon motion of Government.
 Defendant RELEASED on previously executed bond conditions, will self report to BOP as notified by USMS.
 Court recessed at 11:11 a.m.